

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE**

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**IN RE: KODY DEMETRIUS TATE,**

**CASE NO. 18-27636**

**Debtor(s).**

**CHAPTER 13**

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**VERIFIED MOTION OF DEBTOR(S) TO EXTEND STAY UNDER SECTION  
362(c)(3) AS TO ALL CREDITORS**

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Comes now the Chapter 13 Debtor(s), Kody Demetrius Tate, by and through counsel, and represents to the Court as follows:

1. That the Debtor(s) has had one prior pending case(s) dismissed within the last year because:

17-25264 filed June 15, 2017 and was dismissed on July 27, 2017 for Failure to Pay.

2. That the Debtor(s)' financial or personal affairs have substantially changed since the dismissal of the prior case. The Debtor(s) was unable to make the plan payment in the prior case based solely on their employment. The Debtor(s) have since acquired significant freelance website work outside of their employment, which will enable them to make plan payments going forward. The Debtor(s) understands the importance of making payments and attending all court dates.

3. That Paragraph 23 of Schedule J accompanying the Chapter 13 petition signed by the Debtor(s) provides:

Total projected monthly income: \$7,299.17

Total projected monthly expenses: \$2,460.00

Monthly net income: \$4,839.17

4. That the proposed plan payment is \$2,050 every two weeks via payroll deduction.
5. That the Debtor(s)' prior Chapter 13 case was not dismissed because the Debtor(s) failed to provide adequate protection ordered by the Court or after the Debtor(s) failed to file or amend the petition or other documents as required by the Bankruptcy Code or the Court without substantial excuse.
6. That Debtor(s) prior Chapter 13 case was not dismissed while an action under section 362(d) of the Bankruptcy Code was pending or after such an action had been resolved with an order terminating, conditioning, or limiting the stay.
7. That this petition was filed in good faith as to the creditors to be stayed and the Debtor(s) believes she can fully perform the terms of the proposed plan should it be confirmed by this Honorable Court.

WHEREFORE, PREMISES CONSIDERED, your Debtor(s) moves this Court under section 362(c)(3) to extend the automatic stay under section 362(a) as to all creditors for the duration of this Chapter 13 case or until such time as the stay is terminated, modified, or annulled under section 362(d) of the Bankruptcy Code or further order of the Court.

/s/ Brian W. Lynn  
Brian W. Lynn  
P.O. Box 111064  
Memphis, TN 38111-1064  
(901) 791-1485

**CERTIFICATE OF DEBTOR(S)**

I/We, Debtor(s), declare under penalty of perjury that I/we have read the statements contained in the foregoing motion and that they are true and correct to the best of my/our knowledge.

/s/ Kody Demetrius TAt

Date: October 1, 2018

**CERTIFICATE OF SERVICE**

On, October 8, 2018, a copy of the foregoing was served via United States Mail (First Class) or electronically to: the **Debtor(s); all creditors on the matrix;** and to **Case Trustee.**

/s/ Brian W. Lynn

P.O. Box 111064

Memphis, TN 38111-1064

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